VOL. LXXIX.—NO. 70. STREET CLEANERS ON STRIKE

DRIVERS AND HELPERS WON'T WORK AT NIGHT.

Maxor Tells Commissioner Edwards to Let Them Go and, if Necessary, to Let Contracts-Edwards Warns

Cleaning Department went on strike other women into momentary fright. helpers together with the sweepers and frightened ones had a chance to recover. was decided that the men would go out Pierre Drouillard, who is a veteran ocean Old party managers figured differently.

efusal of Commissioner Edwards of the ing, but that he did not like the topsy- dissatisfied with local conditions and Socialists and Good Governmenters Fight rede the demand for the abolition of of the saloon,

treet Cleaning Drivers Union, called miles. the delegation that he regarded the night | Teneriffe. The delegation then went over to the office sin were the Princess Ghika of Rumania stances the increase had been as much William R. Hearst, owner of the Ezamof Street Cleaning Commissioner Ed-wards, where they threatened that a date, who will join Prince Ghika in New-In this county strike would be called at night unless the foundland on a hunting trip; Mr. and Mrs. 42 per cent. In 1910 the leading Socialist time for night work. Mr. Edwards said furd, Beekman Winthrop, Assistant Secleft him he communicated with the Mayor. Mr. and Mrs. Hamilton W. Cary. telling Mr. Gaynor of the answer he had made. In reply the Mayor sent this letter to Commissioner Edwards:

the drivers and garbage collectors of your department be so good as to notify them at once by general order to strike just as soon as they see fit. And see to it that one of the strikers gets back into the city employment again. We can get along thout them. It will inconvenience the stand it patiently. Let the contract om be resorted to if necessary pays the men of your department the hig st wages for the shortest hours, and in last winter. If they think they can make the city conform to their dictation by strik ing they will find themselves grievously The city's business has to be can force it to be done in any other way The city is not in the position of a private employer and able to make any terms with its employees it sees fit.

W. J. GAYNOR, Mayor.

wards's letter sent out yesterday to the stable foremen was as follows:

I understand that there is some disthe Department of Street Clean Stable foremen will suspend any man

were told that if they quit work none of Jumbo. them would ever be employed again that the men meant business this time.

He said that Mayor Gaynor was the only one who wanted night work. The nen, he said, had to obey Mayor Gaynor and the Mayor wanted night work. He believed, he said, that Commissioner Edwards, if he had his own way, would abolish night work.

The Bronx has three stables of the de partment, Stable I, at 365 East 152d street; Stable L. at 189th street and Tiebout avenue, and Stable O, in Westchester village. Day work is still in force at the night what action the men of the stable

The men at stables L and I went out at o'clock, the full force of seventy men walking out of Stable I and of fifty men | She was worth \$5,000. walking out of Stable L.

Deputy Commissioner O'Brien, in charge TO TEST TONY FAUST'S MIND. of The Bronx, was at Station I when the men came in at 9:30 o'clock, their usual hour. The men went to the locker rooms, put on their working clothes and lined up as usual for the roll call. At the roll call an inquiry into the sanity of Anthony

The staging of the walkout at station L reading of the letters from the head of the department and the Mayor—the read- Louis mind specialists. ing was done in this case by the stable foreman-and then all hands got out of their of these stations was a word spoken by prove him, it is stated.

At stable C, at Seventeenth street and Avenue C, the 100 drivers answered roll Faust, Sr., for ten years call at 10 o'clock, but did not even put the roll call they walked out into the street and then, after a short consultation Mary Lyon Chapel to-day the seventyamong themselves, started off for the fifth anniversary of the founding of Mount

at Forty-ninth street and Eighth avenue. Commissioner Edwards got in touch day afternoon and asked that protection college, and the speaker of the day, be given to the various stables and dump stations of the Street Cleaning Department last night in view of the threatened was sent to each of the stables and dumping stations from the nearest police staion house and instructions were sent out Continued on Fourth Page.

BIG WAVE HIT LINER.

Flooded an Upper Deck Writing Room and Frightened Women.

Kronprinzessin Cecilie, in vesterday, when she was in midocean on Saturday morning, flooding the bridge, carrying away part of the forward rail of the bridge and breaking the port of a writing room on Men They Won't Be Taken Back, the promenade deck, where there were several women. Their flight from the water that roared through the port threw

ast night as a protest against night work. The big-ship, which had been at half stablemen are organized as local 65s of tion of a three day tempest. The blast, The invasion of the sea was the culminahe International Brotherhood of Teams Capt. Hogemann said, was No. 10 (Beaussocialism was perhaps the most interpreted that France will do its duty. ters. The strike, which involves 2,500 fort scale), which is seventy miles, and esting feature of an off year contest. drivers, and was voted for at a secret it was working so energetically on Tues- Socialist leaders attributed their party's neeting of the men on Sunday, when it day that only two of the 150 cabin passen- showing to a straightout, natural growth. Pierre Dromitard, who is a veteran ocean traveller, said he went as far as the door saying that the heavy increase was due and his widow said last night that Mrs.

Send a detective down and I'll turn The strike was brought about by the of the saloon and saw the two heroes eat- to Republicans and Democrats who were partment and Mayor Gaynor to con- turviness of the stewards and twistiness wished to rebuke candidates who had

Among the Kronprinzessin's passengers were Dr. Paul Gans of Berlin, who in the early part of the day a delegation will attempt to cross the Atlantic in a achieved by the Socialists were the elecbeaded by W. H. Ashton, organizer of the dirigible in March, starting from Tene- tion of three Assemblymen in the East ists and the Good Government forces property valued at over \$10,000, but no Collins's hook turned up the lost envelopes, International Brotherhood of Teamsters, riffe, Canary Islands, with the hope of one in this State, one in Rhode Island had registered 66,488 women when their and George Preston, secretary of the landing at Barbados, a distance of 2,400 and one in this State, one in Rhode Island work ceased this evening.

Street Cleaning Drivers Union called miles. The dirigible, the Suchard, is 250 feet long, with engines that can drive her, according to Dr. Gans, about twentythe night collection of garbage should be eight miles an hour. He will go to Wash-sylvania and Mississippi and municipal now 159,288. ione away with unless the men of the ington to explain his plans to President officers in many States of the West and street Cleaning Department were paid Taft and ask for a warship to look out South. extra for the night work. They obtained for him at the end of his flight. Two Morris Hillquit, the leader of the Social-

val of ashes as a public convenience. Other passengers by the Kronprinzesof the department were paid extra W. K. Vanderbilt, Miss Barbara Ruther- candidate received about 15,500 votes; in that he was not in a position to promise retary of the Navy; Elbridge T. Gerry, the for Sheriff polled nearly 22,000 votes. The election takes place December 5. higher rate of pay in the way of "extras" Marquis and Marquise Pinar del Rio. Morris Hillquit, who was the party's cannight work, and after the delegation Mrs. Cooper Hewitt, Whitney Warren and didate for Justice of the Supreme Court

JUMBO'S CONSORT DEAD.

In regard to the threatened strike of Carrie of the Hippedrome Was One of the now the strongholds of the party. First Elephants Brought Here.

in the course of time Jumbo lost his life rupt Schenectady. the faithful Carrie never again achieved uncertain disposition replaced the amiability for which she had been noted.

the lady press agent observed. Dainty James P. Reid in the Ninth Representa Street Cleaning Commissioner Ed- morsels of grain mash failed to tempt tive district. Dr. Reid's victory was melancholy. Memories of Jumbo held popularity, as Rhode Island was one her to the last said the lady press agent autifaction on the part of the drivers on all at once, but gradually, rolled upon sachusetts a Socialist Assemblyman was n the Department of Street Cleaning to her left side and breathed her last. Her reelected, Charles H. Morrill, who has Boston Republicans heard some good consent had been obtained all his right made to be won." thoroughly understand that night work companions, Lena, Roxy and Jennie, been for two terms the only member news to-day. thoroughly understand that high the state of trumpeted shrilly, awakening the entire of his party in the Bay State's Legislature. trumpeted shrilly, awakening the entire of his party in the Bay State's Legislature.

The revised returns from Ohio show menagerie that is housed in the cellar

The revised returns from Ohio show as the Property known as picket rope, swaying nervously.

The men had been talking strike for weeks and once before made a threat of a strike, acquired Carrie's bones in order that it Toronto, Lima and Mount Vernon, while devote himself to his private business. but the strike talk stopped after the men may mount them on a platform next to in Kenmore the result is still in doubt.

Last evening Dr. Martin J. Potter, the Business Agent Prescott said last evening veterinary whose almost daily job it is In many towns the Socialists elected Gov. Foss might not try for a third term forwarded at the expense of said fund license by large majorities. Greenfield, to cure anacondas of the stomachache, pull lions' teeth, manicure bears and otherwise safeguard the health and combalmed Carrie.

She was one of the first elephants Robinson circus exhibited her more than fifty years ago. Then P. T. Barnum bought her. Afterward she was the property of several circus men, passing finally to the ownership of Bill Power. Mr. Power is now out West with a troupe last named and it was not known last of performing elephants. It was desired to preserve Carrie's remains until Mr.

Power returned to this city. Dr. Potter said last night that Carrie was at least 100 years old, perhaps more.

Wife Files Bill in Court Alleging Incur-

able Paresis. St. Louis, Mo., Nov. 8.-Application for

Deputy Commissioner O'Brien read to the R. P. (Tony) Faust, aged 40, president of men the letters of Mayor Gaynor and Com- the St. Louis Catering Company and missioner Edwards. When he had fin- brother of Edward Faust, vice-president shed reading the men, apparently in ac- of the Anheuser-Busch Brewing Associacordance with a prearranged plan, turned tion, was filed in the St. Louis Probate their backs, walked back upstairs to the Court to-day by his wife, who was Miss locker rooms and changed back to their Adine Bouvier, of a St. Louis French piostreet clothes. Then they all marched neerfamily. They were married on August

Leo Rassieur, her attorney, said to-day was much the same. Here also the men Tony Faust has been suffering from dressed as if for work, listened to the paresis for four months and that his case is considered hopeless by Eastern and St.

Tony Faust was brought back to St Louis two weeks ago from New York, uniforms and marched out. At neither where expert treatment failed to im-

> Tony Faust has managed Faust's famous café, founded by his father, Tony

on their uniforms. After answering to Mount Helyeke Celebrates Anniversary. SOUTH HADLEY, Mass., Nov. 8 .- In headquarters of the Teamsters Union. Holyoke College was observed. Following the students to enter the chape were the faculty and trustees, with Miss with Police Commissioner Waldo yester- Mary Emma Woolley, president of the

President William H. P. Faunce of Brown An interesting feature of founders' day difficulties. Accordingly one policeman was the reunion of the '45 year class, of which sixteen members were present.

Dewey's "Brut-Cuvee" or "Special Sec."
The Wine for those who know Champagne.
3. T. DEWEY & SONS CO., 138 Fulton St. N. Y.

SOCIALISM THE NEW FACTOR

The crest of a fifty foot wave swept over PARTY SHOWS GREAT GAINS

the bow of the North German Lloyd liner THROUGHOUT THE COUNTRY.

Candidates for Minor Offices Elected in

From end to end of the country the The Italian consulate is strongly Socialist vote showed emphatic gains guarded in Tuesday's election and Socialist canathout increased pay. The drivers and speed, was slowed down to bit and the didates for minor offices were elected in many States.

The strength manifested by political in

Among the more important victories The dirigible, the Suchard, is 250 in Ohio, a Mayor in this State (Schenecsible that 75,000 women will be registered In case his wife survived him the artist.

o satisfaction from the Mayor, who told German cruisers will see him off from ist party in this city, said last night that the vote had doubled in fifty Eastern cities over last year and that in some in-

In this county the Socialist vote jumped 1909, 7,500. On Tuesday last the candidate received 18.284. The Socialist centre has moved uptown and the Twenty-second Thirty-second, Thirty-third, Thirty-fourth Elect Mayor, Eleven Councilmen and Thirty-fifth Assembly districts are

The victories which caused most jubifor each other, dividing peanuts and what ment last night saying that people needn't five school directors. other spoil came to their trunks. When be afraid that the Socialists would bank-

first time in the State's history a Socialist Reynolds, Republican, 1,027. there. But it was entirely lacking, as electing a Socialist Assemblyman, Dr. filled by members of that party. her. Sweetmeats were wasted upon her attributed, however, to his personal of the few States in which the Socialists

of the Hippodrome. Old Lena, shackled that out of ninety-three Mayoratty connext to the corpse, touched it once with tests the Socialists were successful in that he will be satisfied to retire after securities, or mortgages secured by SARATOGA WILL BE WETTER.

The reorganization plan as previously announced provides for the disintegration three and the Republicans thirty-six. beaten in the town of Conneaut by five Vice-President or President. votes only. In Columbus the Socialist tion easily.

They had 20,000 in 1892, when they first went into a national election.

made in Gloversville, Hornell, Rochester. yet to be decided. Glens Falls, Syracuse and Amsterdam, Over in Pennsylvania the Socialists elected of President George F. Baer of the Read- Lawrence.

ing railroad. Leaders of the party here said that the result showed that political socialism will take rank within a few years with the older parties. Morris Hillquit thought socialism had got to a point where politicians must reckon with it whether they want parties would try to fool the people by organizing a fake reform party in order earned rewards. Julius Gerber, secretary of the New York local of the Socialist party, advanced reasons for the gains

made at Tuesday's election. ment's prosecution of the trusts which This provides that a single mistake incaused plants to shut down and throw validates the entire ballot. It has cost many men out of work. We have made the Republicans thousands of votes, but decided progress in manufacturing towns. this is the first time it has hit the Demo-In Reading, Pa., we carried practically all of the ticket. We carried Newcastle the country that we ever made.

AUTO RUNS DOWN SINGER. Edna Hoff of New York Gets a Broken

Arm in London. Special Cable Despatch to THE SUN LONDON, Nov. 8.-Edna Hoff, an Ameri-

can singer, was run down by an automobile here to-day. Her arm was broken nd she was badly cut. She is recover-

Miss Hoff's mother lives at the Calumet Hotel in New York city.

TUNIS ARABS EXCITED. Serious Bloodshed in Clash With Italians

TUNIS, Nov. 8.- The Arab population here is in an ugly mood and "military patriots" have cleared the mosques

But She Survives and Gets All May Carry Italians, armed with revolvers and Towns and Cities of Many States knives, attacked a group of Arabs in the Three Assemblymen Sent to Eastern Babsouka quarter to-day, and there were Legislatures Gain in Total Vote, numbers of killed and wounded on both

Gallery Will Have the Pick of London's Royal Academy Exhibition.

ROME, Nov. 9. The Government oxpressed diplomatically vesterday the in protecting the 120,000 Italian subjects paintings for the American nation, upon Home at 254 Erie street, Jersey City,

has telegraphed to the French press living and is now at the home of her father, a lot of old papers in which were two

Los ANGELES, Cal., Nov. 8. With the fate of Socialism in Los Angeles as the

The fight for control of the municipality is taking on a bitterness that is becoming acute. The Socialists charge an alliance of "Big Business" against them. Their only newspaper support in the daily field is given by the Record. iner, and Edwin T. Earl, owner of the Tribune and the Express, all of whom have been enemies for years, are aligned against Socialism.

The Socialist ticket led in the primaries.

SOCIALISTS WIN NEW CASTLE.

NEW CASTLE, Pa., Nov. 8 - The election Long, long ago (one may not doubt lation at the Socialist headquarters here Socialist party in Lawrence county. In England, be given to the members of the characterized him during the days of the the word of a lady press agent) Jumbo, were achieved at Schenectady. The Rev. New Castle the Socialists elected the Academy and removed to Chelsea Lodge, trial at Chesterfield. greatest of the elephant people, travelled George B. Lunn, the candidate for Mayor Mayor, eleven Councilmen and two City or if the members so desired be disin Mr. Barnum's caravan with Carrie, who swamped his Republican and Demo-Assessors. In Wheatland they swept tributed in the rooms of the students. whose size was only slightly less than cratic opponents and took his whole the entire ticket from Burgess down, The will provided a trust fund of \$30,000 cles into his cramped quarters. souseholders for a few days, but they will his. They entertained the highest regard ticket into office with him, put out a state- and in Pymatuning township they elected for the maintenance of Chelsea Lodge.

> The fight in this city was a hard one. in New York Mr. Abbey left all of his origiand Walter V. Tyler, the Socialist candi- nal drawings, 133 in number, made to There was good news for the Socialists date, had less than 500 majority. The illustrate the comedies of Shakespeare, perfect cheerfulness. Moodiness and an also in the result of the Assembly race vote for Mayor stood: Tyler, Socialist, and also his original color designs for in the Schenectady district. For the 1,708; Gilkey, Independent, 1,228, and illustrating the tragedies of Shakespeare

> which are now in the custody of Harper Yesterday Carrie died of pneumonia was elected to the Legislature. Herbert Three members of Select Council and & Bros. The will also left to the museum at her home in the Hippodrome. It is M. Merrill, a young man, defeated his eight of Common Council were elected his painting "Hamlet" and the painting possible that she might have conquered Republican opponent by nearly 1.000, by the Socialists, and the two vacancies of his wife's mother, Mary E. Mead, the ailment had the ambition to live been Rhode Island broke a similar record by on the Board of City Assessors will be by J. S. Sargent.

FOSS PROMISES TO QUIT. Mayor Fitzgerald of Boston Also Says

This Term's His Last.

of the Hippodrome. Old Lena, shackled that out of ninety-three Mayoralty con- and secondly, Mayor Fitzgerald announced in "safe and sound British or American aeroplane.

There is a difference at the State House Within a few weeks Carrie will rejoin with three in doubt. The complete about the Foss retirement. This morn- and intelligence with which the business ent of the union, the strike will extend Jumbo. The skeleton of that mighty returns elect Socialist Mayors in Canton, ing he was reported to have announced of the Royal Academy is conducted by f men are put in the places of the strikers. elephant is set up in the American Museum Barberton, Cuyahoga Falls, Salem, St. positively that at the end of the coming its members," the testator says, he gives

> There was an extraordinary increase the afternoon, saying it was unauthor-annual exhibition of the Royal Academy. all over the State in the Socialist vote. ized. Secretary Holman said that while Councilmen. In several towns and cities he absolutely denied that he was out their candidates for Mayor were beaten of politics, which means that he may to be the property of the United States by a few votes only. A Socialist was be a candidate for United States Senator,

candidate for Mayor made a close fight The press tabulations do not agree, but chased with the Mead-Abbey Fund. brought into this country. The old John of it for second place with the Republican late reports put it above 8,000. The candidate, a Democrat gaining the elec- entire Republican ticket with the excep- CHICAGO'S OLDEST MAN DEAD. tion of Frothingham was successful Congressman Victor L. Berger of Mil- One branch of the Legislature is more Fernando Jones Goes Out at 91 After waukee made a statement last night in strongly Republican than in 1910. In which he predicted that the Socialist the House the Republicans will have CHICAGO, Nov. 8.—Fernando party would poll 2,000,000 votes in 1912. 142 members, as against 128 last year, died to-day at his home, 1834 Prairie while the Senate remains the same, 26 avenue. He was Chicago's oldest in-Republicans and 14 Democrats. Charles habitant, and for years the most pictur-The showing made in Pennsylvania H. Morrill of Haverhill was the only esque person among the survivors of the and New York was pleasing to the Socialist Socialist elected to the House. He suc- city's pioneer days. leaders here. Buffalo nearly doubled its ceeds himself. The Democrats lost 16 Although 91 years old, this vigorous Socialist vote, while large gains were members in the House and 2 seats are man, who as a youth of 15 ventured into

The commission form of government Chicago, did not confess defeat in his suffered defeat in Chelsea and Cam- struggle against advancing age until part of their ticket in Reading, the home bridge yesterday, but won in Lowell and, yesterday morning. Then he gave in to the

MISTAKES WON IN MARYLAND Errors of Democratic Voters Elected

Republican Governor. BALTIMORE, Nov. 8.—Unofficial returns

from all of the counties in the State show to or not. Charles Edward Russell agreed that Phillips Lee Goldsborough. the with Hillquit and added that the older Republican candidate for Governor, was elected by 2,700 majority, but both his running mates on the ticket are defeated pleted their Himalayan expedition. to cheat the Socialist party out of its Harrington, Democrat, for Comptroller winning out by about 1,000 and Poe for Attornev-General by several thousand.

Goldsborough primarily owes his election to a law which was designed to worry "One of these," he said, "is the Govern- the negro voters in the lower counties crats.

In Baltimore city an independent plane, not for pleasure but to rid their asily. It was the best showing all over candidate for Judge of the Orphans Court used the party designation of "progressive Democrat." Three were to be lands of the wolves, panthers and mountain lions which kill cattle. They estimate that it cost them \$100 elected. In marking their ballots about a month for men to hunt the wolves, 3,000 Democrats, paying no attention to the names, marked next to "Democrat" not to mention the thousands of dollars and made the mistake of marking for four. worth of cattle killed. Some of the cattlemen employ hunters by the month

The Republicans had advised their election officials to throw all such ballots of from \$3 to \$7 for scalps.

Agents for aeroplanes have been working on the proposition and the first machine has been ordered and will be built especially for this use. It will carry two men and it is planned to penetrate the wild country and despatch beasts of prev with suns from a safe distance. out. The Democratic officials protested against throwing them out, but the supervisors of elections instructed them to comply with the law, and out they went. They cost the Democratic candidate his of prey with guns from a safe distance in the air.

SAY CASTRO WAS KILLED.

GIFTS E. A. ABBEY PLANNED

WILL DEPENDED ON WIFE'S

DEATH BEFORE HIM.

American artist, who died in London on

wishes at some future time.

\$1,000.

the house

trate Goldsmith's "Deserted Village,"

One Day's Iliness.

Foot Peak Conquered.

Mrs. Fanny Bullock Workman have com-

tect Their Herds.

Sighting Jerusalem."

of America."

French Steamship Passengers Bring News From Venezuela.

Special Cable Despatch to THE SUN. BORDEAUX, Nov. 8 .- Passengers aboard the steamship Perou. from La Guayra. assert that Cipriano Castro has been Out His Project by Which Corcoran murdered in Venezuela.

GOT \$255 WITH OLD PAPERS The will of Edwin Austin Abbey, the Salvation Army Hunts Up Mrs. Payson's

Money and Gives It Back. August 1, leaves the bulk of a large estate Major Wallace Winchell, who has to establish a fund for the purchase of charge of the Salvation Army Industrial Tunis. The French Ambassador has condition that his wife, who was Mary received a telephone message from the Fourth precinct station late on Tuesday Gertrude Mead, had died before him or night that Mrs. T. G. Payson of 281 Clerk Minister of Foreign Affairs Giolitti at the same time. Mrs. Abbey is still street had given the home's salvage men Frederick Mead, at 1 West Fifty-sixth envelopes containing \$255 in bills.

"We would like to have a search made street. An intimate friend of the artist "Send a detective down and I'll turn Abbey is likely to carry out her husband's out my men to help him," replied Major

Winchell. The will was filed for probate yesterday | Detective Sergeant Tom Collins went by the law firm of Simpson, Thacher & to the home with a cotton hook, and incentive to stir them to predigious ef- Bartlett. The petition accompanying the about twenty men were set to work sorting real property in this country. His estate and Mrs. Payson, who watched the prois said to be worth upward of \$1,000,000, ceedings, gave an exclamation of joy.

deceased him bequests of \$500 each were keeps wagonloads of paper and other to go to several servants and \$1,000 each things separate so that lost articles may

of \$1,200. Alfred Parsons, the Royal The will also directed that Mr. Abbey's Richmond Wife Murde rer Will Die in the London house, Chelsea Lodge, was to go Chair on November 24.

RICHMOND, Va., Nov. 8 .- Henry Clay to the members of the Royal Academy of Arts for the use of the president of the Beattie, Jr., who is under sentence to die been done before. Never before since Royal Academy as his residence. All the in the electric chair on November 24 the Sherman law was enacted have there furnishings, including a bronze bust by for wife murder, was conveyed from the been corporations engaged in inter-Onslow Ford, R. A., and a portrait in oils city jail to the State penitentiary this state commerce whose organization was of Mrs. Abbey drawn by Mr. Abbey, morning, where he is the only occupant together with all the furniture and plate, of murderers' row, a few steps from the and were to go to the Royal Academy with electric chair.

Mr. Abbey directed that his library at penitentiary cheerfully and went to the attacked on the ground of organization, yesterday was a great victory for the Morgan Hall, Fairfield, Gloucestershire, death chamber with the same smile that according to the decision of the Circuit

A guard was placed over Beattie, who was permitted to take a few simple arti- of big business or attempted to show how

CALLS HEARST SPORT PIKER. To the Metropolitan Museum of Art Rodgers Refuses Cup-Says \$50,000

Prize Was Not Offered to Be Won. PASADENA, Cal., Nov. 8.-Calbraith P Rodgers, the aviator who flew from the Atlantic to the Pacific, making a new world's record, declined at a banquet given in his honor here to-night to accept a \$500 cup offered to him by a representa-

tive of William R. Hearst. Rodgers said that Mr. Hearst was a with an extraordinary situation." The will left to the Boston Art Museum Mr. Abbey's original drawings to illuspiker and that more valuable cups were given to the winners of insignificant and to the National Gallery of British yacht races. "If he wants to show that he is a true sportsman," said the aviator. Art he left his painting "The Crusaders "let him renew his offer of \$50,000 with the intention that somebody may win In case of Mrs. Abbey's death before BOSTON, Nov. 8.—Massachusetts and him the testator provided that if her the money. His original offer was never

to the property known as the Dyckman

tice in the Fourth Dist rict. SARATOGA, Nov. 8.-The no license movement, which has been making inchanged from dry to wet and Stillwater, "such works of art so purchased to be Halfmoon and Ballston defeated no to the Corcoran Gallery at Washington Wilton and Malta remain dry.

The will directs that a label be affixed Supreme Court, Fourth Judiciary dis- United Cigar Stores Company, but per-Gov. Foss's plurality is about 8,000. to each painting stating that it was pur-trict, over Justice J. A. Keilogg, Demo-mits the ownership and conduct of the crat. The Republicans will control the retail tobacco business by the four cor-

ESTRANGED 50 YEARS: WILL WED

OMAHA. Neb., Nov. 8.-Immediately Buffalo, N. Y., where to-morrow he will be company and private concerns rather married to Mrs. Sarah J. Green of that than with the Government.

the Indian infested region that is now Judge Eastman and Mrs. Green were advice of physicians and attendants and went to bed, where he staved for the twenty-four hours until death released the two met for the first time in fifty combe says:

CLIMBS OF THE WORKMANS. vears. The marriage was contingent upon Seven New Glaciers Explored and 21,000 are more than 70 years old. Special Cable Despatch to THE SUN.
BOMBAY, Nov. 8.—Dr. Workman and

Canada to Renew Negotiations With U. S. for a Commission.

They explored seven new glaciers and ascended a virgin peak 21,000 feet above OTTAWA, Nov. 8 .- Judge Mabee, chairnan of the Canadian Railway Commission, announced to-day that the nego-AEROPLANE TO HUNT WOLVES. tiations for establishing an international commission to regulate freight and pas-Texas Cattlemen Order Machine to Pro-GALVESTON, Tex., Nov. 8.-Ten ranchsumed. Frank Cochrane, Minister of cisms. When a point was reached where men owning 150,000 acres in Pecos, Brew ster and El Paso counties stocked with 200,000 cattle have invested in an aero-Parliament meets next week.

Judge Mabee said to-day: "Such a matters remaining in dispute." commission is absolutely necessary if we are to have any control over the railways General made in open court Judge La-

in respect of through traffic. It is understood here that Mr. Prouty of the United States Interstate Commerce Commission has formulated a plan for or director of any other of the companies, the international commission and has is approved, this injunction running for a

George W. Perkins to Speak.

COURT APPROVES TOBACCO PLAN

PRICE TWO CENTS.

Wickersham Unanimously Overruled on Important Points.

NO FIVE YEAR PROBATION

United Cigar Store Business Not to Be Sold—A Three Year Injunction Term.

The United States Circuit Court for the over waste paper which had been delivered Southern district of New York, Judges Lacombe, Coxe, Ward and Noyes, has unanimously approved a plan for the reorganization, readjustment and rehabilitation of the American Tobacco Major Winchell was just as delighted Company, whose dissolution was ordered as Mrs. Payson over the recovery of the by the United States Supreme Court on The testator said that if his wife pre- money. He said last night that he always May 29. In the language of the highest court, which remanded the case with to his brother, William Burling Abbey. be readily found if housekeepers notify and the latter's two children. His sister, him that they have unintentionally given latter has ordered a plan for "dissolving" Jane Kiple Toosey, was to have an annuity away something that they wanted to keep. the combination and for recreating out of the elements now composing it a new Academician, was to have an annuity of BEATTIE IN THE DEATH HOUSE. | condition which shall honestly be in harmony with and not repugnant to the law."

Neither under the common law nor under statute law has anything like this thus judicially recognized as legal. The four companies into which the American The prisoner greated Supt. Wood of the Tobacco Company is divided cannot be Court. Never before, also, have the courts presented a model for the conduct that business could be conducted in a big and yet a legal way.

"This court," said Judge Noyes in his opinion, "is required to enter into the examination of questions economical as well as legal and to depart from the function of determining existing controversies to the decision of the legality of future proposed action. The duty imposed is extraordinary because the Supreme Court in imposing it was dealing

WHAT THE DECISION MEANS.

From the standpoint of economics the decision means that the corporation which controls no more than 40 per cent. of the business in which it is engaged is immune from prosecution under the Sherman law, that the rights of security holders in whatever corporation continue to be Rodgers may attempt a flight along protected by the courts and that any cor-San Francisco. He is building a new conform with law and do it without loss

"Having had long experience of the care Republicans Elected Supreme Court Jus. of the company into four companies, no one of which is to be a monopoly or to control more than 40 per cent. of the business in any branch of tobacco. In its roads in Saratoga county in late years, general features the Circuit Court apreceived a severe check yesterday when proves this plan. The Attorney-General Gov. Foss issued a denial of this in chase of the best works of art from the the towns of Schuylerville and Corinth asked for many modifications and restrictions. The important requests the court refuses. It refuses to order that for five years the case be kept open and the companies be kept under the Edward C. Whitmyer, Republican, re- direction of the court. It refuses to ceives a plurality of 933 for Justice of the order the sale of the property of the porations. It enjoins the twenty-nine individual defendants from increasing their holdings of securities in the four constituent companies, but puts the Both Have Been Married and Widowed period of this injunction at three years instead of five. It ordered that the company which is to be dissolved, that is after receiving the returns indicating his the dominant company, keep its books reelection to the bench Judge William and records, but this order was made Eastman of Omaha last night left for on account of litigation between the

NO APPEAL ANTICIPATED.

Attorney-General Wickersham in Washchildhood sweethearts but became es- ington last night declined to comment tranged. Eastman came West and mar- on the decision or to say whether or not ried and the girl did likewise in the East. the Government will appeal until he has Eastman's wife and Mrs. Green's hus- seen the text of the opinion. The opinion band died a number of years ago. While as rendered by Judge Lacombe intimates attending a Grand Army reunion last year that there will be no appeal. Judge Las

"While the plan is correctly described as the proposed plan of the American Judge Eastman being reelected. Both Tobacco Company, since that corporation and other defendants offer to carry it out, it should be remembered that in INTERNATIONAL R. R. CONTROL. its present form the plan is the fruit of much discussion. For upward of two months successive conferences, in the presence of two or more members of the court, were had between the Attorney-General and the counsel and representatives of the Tobacco company. Objections of the Attorney-General were followed by modifications of the plan, some senger rates which were begun last year of its most drastic provisions being inhere and in Washington would be re- serted in order to meet or avoid his criti-Railways, will take up the matter with such adjustment of differences ceased the United States Government soon after to be practicable a time was fixed for a hearing before the whole court upon the

The objections which the Attorneycombe takes up in order. The first, that none of the new companies shall have an officer or director serving as officer period of five years. To the next objection qualified approval is given. Mr. Wickersham asked that the principal Although it was first reported that George W. Perkins would not speak at the dinner of the Academy of Political Science, Mr. Perkins has changed his plan so that he will be able to speak. The dinner is to be held on Friday, and his subject will be "New York's Responsibility will be "New York's Responsibility of the speak of the stocks held by it in the principal and each of Genuine crystal pebble eyeglasses, the cool kind that never mist, at Spencer's, 7 Maiden Lass.